

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 542—CONTRACT ADMINISTRATION AND AUDIT SERVICES

Subpart 542.11—Production Surveillance and Reporting

Sec.
542.1107 Contract clause.

Subpart 542.15—Contractor Performance Information

542.1503 Procedures.
542.1503-71 Information to collect.

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

Subpart 542.11—Production Surveillance and Reporting

542.1107 Contract clause.

FSS STOCK OR SPECIAL ORDER PROGRAM

Insert 552.242-70, Status Report of Orders and Shipments, in solicitations and indefinite quantity and requirements contracts for stock or special order program items. You also may use the clause in indefinite delivery definite quantity contracts for stock or special order program items when close monitoring is necessary because numerous shipments are involved.

Subpart 542.15—Contractor Performance Information

542.1503 Procedures.

542.1503-71 Information to collect.

The system for collecting contractor performance data should include, as appropriate:

- (a) Timeliness of delivery or performance, for example:
 - (1) Adherence to contract delivery schedules.
 - (2) Resolution of delays
 - (3) Number of “show cause” letters and “cure notices” issued.
 - (4) Number of delinquent deliveries.
 - (5) Number of contract extensions resulting from contractor-caused delays.
 - (6) Timely submission or performance or required tests.

(b) Conformance of product or service to contract requirements, for example:

- (1) Quality of workmanship.
- (2) Reliability.
- (3) Adequacy of correction of defects.
- (4) Number of safety defects.
- (5) Number of product rejections.
- (6) Results of laboratory tests.
- (7) Number and extent of warranty problems.
- (c) Customer comments, for example:
 - (1) Number and quality of positive comments.
 - (2) Number and nature of complaints.
 - (3) Adequacy of resolving customer complaints.
 - (d) Terminations for default.
 - (e) On-the-job safety performance record, including the number of lost or restricted workdays due to occupational injuries in comparison to the national average.
 - (f) Adequacy of contractor’s quality assurance system.
 - (g) Compliance with other key contract provisions, for example:
 - (1) Subcontracting program.
 - (2) Labor standards.
 - (3) Safety standards.
 - (4) Reporting requirements.
 - (h) Exhibiting customer-oriented behavior.
 - (i) Other performance elements identified by the Service.

PART 543—CONTRACT MODIFICATIONS

AUTHORITY: 40 U.S.C. 486(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

Subpart 543.2—Change Orders

543.205 Contract clauses.

- (a) *Construction.* (1) Insert 552.243-70, Pricing of Adjustments, in solicitations and contracts if the contract:
 - (i) Amount is expected to exceed the simplified acquisition threshold.
 - (ii) Will be other than a cost type.
- (2) Insert 552.243-71, Equitable Adjustments, in solicitations and contracts containing FAR 52.243-4.

General Services Administration

546.708

(b) *Multiple award schedules (MAS)*. Insert 552.243-72, Modifications (Multiple Award Schedule), in MAS solicitations and contracts issued by GSA. For solicitations and contracts issued under Federal Supply Classification (FSC) 65 you may use the clause with its Alternate I for products ordered from authorized Prime Vendors.

PART 546—QUALITY ASSURANCE

Subpart 546.3—Contract Clauses

Sec.

546.302 Fixed-price supply contracts.

546.302-70 Source inspection by Quality Approved Manufacturer.

546.302-71 Source inspection.

546.312 Construction contracts.

Subpart 546.4—Government Contract Quality Assurance

546.470-2 Certification testing.

Subpart 546.7—Warranties

546.708 Warranties of data.

546.710 Contract clauses.

AUTHORITY: 40 U.S.C. 121(c).

SOURCE: 64 FR 37228, July 9, 1999, unless otherwise noted.

Subpart 546.3—Contract Clauses

546.302 Fixed-price supply contracts.

546.302-70 Source inspection by Quality Approved Manufacturer.

For contracts and solicitations issued by FSS:

(a) Insert the clause at 552.246-70, Source Inspection by Quality Approved Manufacturer, in solicitations and contracts that provide for source inspection, except:

(1) Multiple award schedule contracts.

(2) Motor vehicle contracts.

(3) Contracts awarded by the FSS Services Acquisition Center, unless you decide, together with the Central Office Quality Assurance Division (FQA), that inspection by Government personnel is necessary.

(b) You may authorize inspection and testing at manufacturing plants or other facilities located outside the United States, Puerto Rico, or the Virgin Islands, under paragraph (a)(1) of

the clause at 552.246-70 under any of the circumstances listed in this paragraph. Coordinate the authorization with FQA and document it in the file.

(1) Inspection services are available from another Federal agency with primary inspection responsibility in the geographic area.

(2) An inspection interchange agreement exists with another agency for inspection at a contractor's plant.

(3) The procurement is for the Agency for International Development and specifies the area of source.

(4) Other considerations will ensure more economical and effective inspection consistent with the Government's interest.

546.302-71 Source inspection.

For solicitations and contracts issued by FSS, if Government personnel at the source will perform inspection, insert 552.246-71, Source Inspection by Government.

546.312 Construction contracts.

Insert the clause at 552.246-72, Final Inspection and Tests, in solicitations and contracts for construction that include FAR 52.246-12, Inspection of Construction.

Subpart 546.4—Government Contract Quality Assurance

546.470-2 Certification testing.

Certification testing determines whether an item conforms with a specification for the purpose of executing a certificate of compliance required by the specification. The contractor has responsibility for certification testing.

Subpart 546.7—Warranties

546.708 Warranties of data.

(a) Use warranties of data only when you meet both of the following conditions:

(1) You decide the use of a warranty is in the Government's interest.

(2) The contracting director concurs in your decision.

(b) The technical or specification manager has responsibility for developing any warranties of data.